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6
7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9
10 MARIBEL BRIANO GONZALEZ,
11 Plaintiffs,
12 v.
13 DANIEL RENAUD, Vermont Service
Center Director, USCIS; JANET
14 NAPOLITANO, Secretary, DHS;
ALEJANDRO MAYORKAS, Director,
15 USCIS; ERIC HOLDER, JR.,
Attorney General; JANET
16 NAPOLITANO, Secretary, DHS;
Robert Cowan, Director, National
Benefits Center, USCIS; Daniel
17 Bogden, United States Attorney,
18 Defendants.

2:10-CV-01847-LDG-LRL

DEFENDANTS' UNOPPOSED
MOTION FOR EXTENSION OF
TIME TO RESPOND TO
PLAINTIFF'S COMPLAINT

(SECOND REQUEST)

19
20 Defendants, by and through their attorneys, Daniel G. Bogden,
21 United States Attorney for the District of Nevada, Carlos A.
22 Gonzalez, Assistant United States Attorney, and Sherease Pratt,
23 Trial Attorney, U.S. Department of Justice, respectfully request
24 a twelve (12) day extension of time, up to and including January
25 31, 2011, in which to file a responsive pleading to Plaintiff's
26 Complaint(# 1).

1 In support of this request for an extension of time,
2 Defendants rely upon the Memorandum of Points and Authorities
3 attached hereto and incorporated herein.

4 DATED this 14th day of January, 2011.

5 Respectfully submitted,

6 DANIEL G. BOGDEN
United States Attorney

7 CARLOS A. GONZALEZ
8 Assistant United States Attorney

9 TONY WEST
10 United States Department of Justice
Assistant Attorney General
11 Civil Division

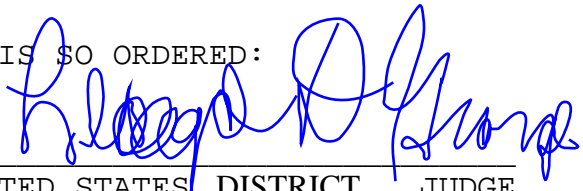
12 ELIZABETH J. STEVENS
Assistant Director
13 Office of Immigration Litigation

14 /s/ SHEREASE PRATT
SHEREASE PRATT
Trial Attorney
15 U.S. Department of Justice
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16 Office of Immigration Litigation
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17 Washington, D.C. 20044
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18 Facsimile: (202) 616-8962
sherease.pratt@usdoj.gov

19 Attorneys for Defendants

20 OF COUNSEL:
21 Thomas McCarthy, AGC
22 U.S. Department of Homeland Security

23 IT IS SO ORDERED:

24 
25 UNITED STATES DISTRICT JUDGE
26 DATED: 20 Jan 2011

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. BACKGROUND**

3 Plaintiff filed his Complaint (#1) with the Court on October
 4 21, 2010, and Defendants' response is due on Tuesday, January 19,
 5 2011. Undersigned counsel for Plaintiff and Defendants have
 6 conferred in an effort to resolve this litigation. The parties
 7 continue to consult regarding whether the claims raised in this
 8 action can be resolved without the need for further litigation.
 9 Therefore, the Government requests that this honorable Court
 10 grant a twelve (12) day extension of time, up to and including
 11 January 31, 2011, in which to file a responsive pleading to
 12 Plaintiff's Complaint.

13 On January 14, 2011, undersigned counsel Sherease Pratt
 14 spoke with Mr. Seth Reszko, Plaintiff's counsel, and he does not
 15 oppose this request for an extension of time.

16 **II. ARGUMENT**

17 The Federal Rules of Civil Procedure provide for an
 18 enlargement of time for cause shown.

19 When an act may or must be done within a specified
 20 time, the court may, for good cause, extend the time:
 21 (A) with or without motion or notice if the court acts,
 or if a request is made, before the original time or
 its extension expires

22 Fed. R. Civ. P., Rule 6(b)(1)(A).

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1 1. Undersigned counsel for Plaintiff and Defendants have
2 conferred in an effort to resolve this litigation. The parties
3 continue to consult regarding whether the claims raised in this
4 action can be resolved without the need for further litigation.

5 2. Therefore, pursuant to Local Rule 6-1(a), the parties
6 hereby stipulate to extend the time within which Defendants must
7 file their response in the above-entitled action. Defendants'
8 responsive pleading will be due by January 31, 2011.

9 3. This request is made prior to the expiration of the
10 time set by the Court to respond to Plaintiff's Complaint.

11 4. On January 14, 2011, undersigned counsel Sherease Pratt
12 spoke with Mr. Seth Reszko, Plaintiff's counsel, and he does not
13 oppose this request for an extension of time.

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1 **III. CONCLUSION**

2 Therefore, the Defendants respectfully request that this
3 honorable Court grant a twelve (12) day extension of time, up to
4 and including January 31, 2011, in which to file a response to
5 Plaintiff's Complaint (#1).

6 DATED this 14th day of January, 2011.

7 Respectfully submitted,

8 DANIEL G. BOGDEN
United States Attorney

9 CARLOS A. GONZALEZ
10 Assistant United States Attorney

11 TONY WEST
12 United States Department of Justice
Assistant Attorney General
Civil Division

13 ELIZABETH J. STEVENS
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15 /s/ SHEREASE PRATT
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22 OF COUNSEL:
23 Thomas McCarthy, AGC
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